

Polemics Terms: Slander

THE POLEMICS DEFINITION

“Slander” is a term improperly used by many who oppose discernment or criticism in a way that colloquially means, “something I don’t like hearing” or “something that is spoken or written ill of someone I like.”

IMPROPER USAGE

Example: An article about Hillsong Church’s cover-up of homosexuals leading ministry is met with the response that the article is “slanderous,” even though the information presented is true.

Example: A polemicist discusses Todd Bentley’s marital affair while he was conducting the Brownsville Revival, and they are told that they are “slandering” Bentley by pointing out his moral failure.

Example: A pastor explains why theonomy is a sub-biblical teaching that Judaizes the Mosaic judicial law, and he is accused of “slandering” theonomy or theonomists, when all he has done is give his theological opinion about why the teaching is bad and has made no definitive truth claims that can be proven false.

THE TEXTBOOK DEFINITION

From [Websters-Merriam](#) dictionary, **slander** is “*to make a false spoken statement that causes people to have a bad opinion of someone.*”

Slander is *spoken*, and is the counterpart of **libel**, defined by [Websters-Merriam](#) as “*the act of publishing a false statement that causes people to have a bad opinion of someone.*”

FURTHER EXPLANATION OF ACTUAL SLANDER OR LIBEL

Both slander and libel can be criminal offenses (although rare) in certain states or nations ([for example](#)). However, virtually no state or nation contains laws making criminal *truthful* speech (except for some nations that do not permit this when done towards magistrate or civil authorities). Most of the time, slander and libel is not a crime, but is a “tort” and subject to civil lawsuit.

To truly be classified as “defamation” (how slander and libel are usually prosecuted), it must have the following characteristics:

1. First, the “statement” can be spoken, written, pictured, or even gestured. Because written statements last longer than spoken statements, most courts, juries, and insurance companies consider libel more harmful than slander.
2. “Published” means that a third party heard or saw the statement — that is, someone other than the person who made the statement or the person the statement was about. “Published” doesn’t necessarily mean that the statement was printed in a book — it just needs to have been made public through television, radio, speeches, gossip, or even loud conversation. Of course, it could also have been written in magazines, books, newspapers, leaflets, or on picket signs.
3. A defamatory statement **must be false** — otherwise it’s not considered damaging. Even terribly

mean or disparaging things are not defamatory if the shoe fits. *Most opinions don't count as defamation because they can't be proved to be objectively false.* For instance, when a reviewer says, "That was the worst book I've read all year," she's not defaming the author, because the statement can't be proven to be false.

4. The statement must be "injurious." Since the whole point of defamation law is to take care of injuries to reputation, those suing for defamation must show how their reputations were hurt by the false statement — for example, the person lost work; was shunned by neighbors, friends, or family members; or was harassed by the press. Someone who already had a terrible reputation most likely won't collect much in a defamation suit.

5. Finally, to qualify as a defamatory statement, the offending statement must be "unprivileged." Under some circumstances, you cannot sue someone for defamation even if they make a statement that can be proved false. For example, witnesses who testify falsely in court or at a deposition can't be sued.

(Although witnesses who testify to something they *know* is false could theoretically be prosecuted for perjury.) Lawmakers have decided that in these and other situations, which are considered "privileged," free speech is so important that the speakers should not be constrained by worries that they will be sued for defamation. Lawmakers themselves also enjoy this privilege: They aren't liable for statements made in the legislative chamber or in official materials, even if they say or write things that would otherwise be defamatory. ([source](#)).